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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/513,997
		Filing Date	February 26, 2000
		First Named Inventor	Harrington, John J.
		Group Art Unit	1632
		Examiner Name	Brunovskis, P.
Total Number of Pages in This Submission	7	Attorney Docket Number	0221-0003Q

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO-1449 (1 page)
<input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)	<input type="checkbox"/> Request for Refund	1 - Reference Cited in Form PTO-1449
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	1 - Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Anne Brown - Reg. No. 36,463
Signature	<i>Anne Brown</i>
Date	July 25, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 07/25/01

Typed or printed name	Sophia L. Davis
Signature	<i>Sophia L. Davis</i>
Date	July 25, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

OIPE SC105  
JUL 30 2001  
TRADEMARK OFFICE

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> <b>0.00</b>
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## Complete if Known

Application Number	09/513,997
Filing Date	February 26, 2000
First Named Inventor	Harrington, John J.
Examiner Name	Brunovskis, P.
Group Art Unit	1632
Attorney Docket No.	0221-0003Q

<b>METHOD OF PAYMENT</b>	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <b>50-0622</b>	
Deposit Account Name <b>SHANKS &amp; HERBERT</b>	
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	

**SUBTOTAL (1) (\$)**

### 2. EXTRA CLAIM FEES

Total Claims	-20** =	X	=	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 3** =	X	=			
Multiple Dependent						

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES						
Fee Code (\$)	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid		
105	130	205	65 Surcharge - late filing fee or oath			
127	50	227	25 Surcharge - late provisional filing fee or cover sheet			
139	130	139	130 Non-English specification			
147	2,520	147	2,520 For filing a request for ex parte reexamination			
112	920*	112	920* Requesting publication of SIR prior to Examiner action			
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action			
115	110	215	55 Extension for reply within first month			
116	390	216	195 Extension for reply within second month			
117	890	217	445 Extension for reply within third month			
118	1,390	218	695 Extension for reply within fourth month			
128	1,890	228	945 Extension for reply within fifth month			
119	310	219	155 Notice of Appeal			
120	310	220	155 Filing a brief in support of an appeal			
121	270	221	135 Request for oral hearing			
138	1,510	138	1,510 Petition to institute a public use proceeding			
140	110	240	55 Petition to revive - unavoidable			
141	1,240	241	620 Petition to revive - unintentional			
142	1,240	242	620 Utility issue fee (or reissue)			
143	440	243	220 Design issue fee			
144	600	244	300 Plant issue fee			
122	130	122	130 Petitions to the Commissioner			
123	50	123	50 Processing fee under 37 CFR 1.17(q)			
126	180	126	180 Submission of Information Disclosure Stmt			
581	40	581	40 Recording each patent assignment per property (times number of properties)			
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))			
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))			
179	710	279	355 Request for Continued Examination (RCE)			
169	900	169	900 Request for expedited examination of a design application			
Other fee (specify) _____						
*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3) (\$)</b>		

\*or number previously paid, if greater; For Reissues, see above

**SUBTOTAL (3) (\$)**

<b>SUBMITTED BY</b>		Complete if applicable		
Name (Print/Type)	Anne Brown	Registration No. (Attorney/Agent)	36,463	Telephone (703) 683-6197
Signature	<i>Anne Brown</i>	Date	July 25, 2001	

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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#14  
8-17-01  
PZ

TECH CENTER 1600/2900 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Harrington, et al.

Application No.: 09/513,997

Filed: February 26, 2000

For: **COMPOSITIONS AND METHODS  
FOR NON-TARGETED ACTIVATION  
OF ENDOGENOUS GENES**

Group Art Unit: 1632

Examiner: Brunovskis, P.

Attorney Docket No.: 0221-0003Q

**BOX DD**

Commissioner of Patents  
Washington, D.C. 20231

**THIRD SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of document AR26 is submitted herewith. The cite number is based on the last cite number in the Second Supplemental Information Disclosure Statement filed on February 9, 2001.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available

to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants also bring to the Examiner's attention co-pending related Application Nos. 09/276,820, 09/455,659, 09/479,122, 09/479,123, 09/481,282, 09/481,355, 09/481,375, 09/484,317, 09/484,331, 09/484,743, 09/484,895, 09/484,996, 09/484,997, 09/513,574, 09/513,575, and 09/760,897.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed in accordance with 37 C.F.R. § 1.97(c), after a first Office Action on the merits and before a final Office Action or Notice of Allowance. Accordingly, under 37 C.F.R. § 1.97(c)(1), Applicants hereby certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained

in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

It is believed there is no fee required in the filing of this document. The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. **50-0622**, referencing Attorney Docket No. **0221-0003Q**.

Respectfully submitted,

SHANKS & HERBERT

  
Anne Brown  
Reg. No. 36,463

Date: July 25, 2001

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